

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Reiner SCHMITT et al.  
International Application No.: PCT/EP05/50560  
International Filing Date : February 9, 2005  
U.S. Serial No. : 10/593,021  
For : **SENSOR ELEMENT**

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371**

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed June 23, 2008, Applicants submit herewith a fully executed Declaration and Power of Attorney to complete the filing requirements for the U.S. national phase of the above-identified PCT application.

The application filed in the Patent Office is the application which the inventors executed by signing the Declaration and Power of Attorney. A copy of the Notification of Missing Requirements is also enclosed.

The Commissioner is hereby authorized to charge the \$130.00 fee to cover the surcharge for late filing of the Declaration to Deposit Account No. 11-0600 of **Kenyon & Kenyon LLP**. The Commissioner is also authorized to charge any additional fees or credit any overpayment in connection with this paper to Deposit Account No. 11-0600. An additional copy of this letter is enclosed for this purpose.

Respectfully submitted,  
KENYON & KENYON LLP

Date: 8/4/08

By:



Gerard A. Messina, Reg. No. 35,952

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Express Mail No. EM 079441625 US

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# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/593,021	Reiner SCHMITT	10191/4758
26646 KENYON & KENYON LLP ONE BROADWAY NEW YORK, NY 10004	INTERNATIONAL APPLICATION NO. PCT/EP05/50560	
	I.A. FILING DATE 02/09/2005	PRIORITY DATE 03/19/2004

CONFIRMATION NO. 5723  
371 FORMALITIES LETTER



OC000000030592678\*

Date Mailed: 06/23/2008

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- Priority Document
- Copy of the International Application filed on 09/14/2006
- English Translation of the IA filed on 09/14/2006
- Copy of the International Search Report filed on 09/14/2006
- Preliminary Amendments filed on 09/14/2006
- Information Disclosure Statements filed on 09/14/2006
- Oath or Declaration filed on 09/14/2006
- Request for Immediate Examination filed on 09/14/2006
- U.S. Basic National Fees filed on 09/14/2006
- Substitute Specification filed on 09/14/2006
- Priority Documents filed on 09/14/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

FRANCINE YOUNG

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